



MVD REV 03/03

MOTOR VEHICLE DIVISION

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SHOW GUIDELINES

The following brief description of regulations is designed to assist manufacturers and franchised dealers preparing for off-site display or exhibition. Please refer to your copies of the Texas Motor Vehicle Commission Code, Transportation Code and Motor Vehicle Board Rules, keeping in mind any other applicable provisions of law.

Section 4.02(d) Texas Motor Vehicle Commission Code

(d) Except as provided in this subsection, no licensee may participate in a new motor vehicle show or exhibition unless the Board has first had written notice at least 30 days prior to the opening day of the show or exhibition and its written approval has been granted. A licensee may not sell or offer for sale a new motor vehicle at a show or exhibition; however, dealership personnel may be present to aid in the showing or exhibiting of new motor vehicles. This subsection does not prohibit the sale of a towable recreational vehicle, motor home, ambulance, or fire-fighting vehicle at a show or exhibition if the show or exhibition is approved by the Board and if the sale does not otherwise violate a provision of law. If the Board adopts a rule regulating off-site display or sale of towable recreational vehicles, the Board shall, as part of that rule, authorize the display and sale of towable recreational vehicles at a private event in a trade area that would not otherwise qualify for the private event under the application of the general participation requirements for organized dealer shows and exhibitions.

Revised 7/19/99

SALES

Any activity which is designed to promote, solicit, induce, influence or encourage a consumer to buy, whether it be advertising or other marketing activity is considered an "offer to sell". It can be the simple writing of a price on the back of a business card and passing the card to a consumer, a banner across the top of a dealership, or a verbal communication of a suggested price to a consumer. Any indication that vehicles may be for sale is a violation, and could subject you to the possibility of investigation and formal complaint action.

No pricing of any kind may be displayed on any vehicle unless it is furnished and preprinted with a price by the manufacturer or distributor, similar to the Monroney label required by federal law to be affixed to every new automobile until sold. If the manufacturer does not produce a pre-printed label containing a MSRP (Manufacturer Suggested Retail Price), then no price may be displayed. The only exception would be those vehicles approved to be sold at a show.

A. AMBULANCES AND FIRE-FIGHTING VEHICLES

*UPON SUBMISSION OF FORM AS-2 – AT LEAST 30 DAYS
PRIOR TO THE OPENING DAY and WITH WRITTEN APPROVAL*

CAN BE DISPLAYED OFF-SITE BY LICENSED
MANUFACTURERS &
and CAN BE SOLD OFF-SITE BY LICENSED DEALERS ONLY

Section 4.02 (d) Texas Motor Vehicle Commission Code

...This subsection does not prohibit the sale of a towable recreational vehicle, motor home, ambulance, or fire-fighting vehicle at a show or exhibition if the show or exhibition is approved by the Board and if the sales does not otherwise violate a provision of the law.

B. AUTOMOBILES, BUSES, MOTORCYCLES, MOTOR SCOOTERS, TRUCKS, ALL-TERRAIN VEHICLES (AND ALL OTHER MOTOR VEHICLES NOT LISTED IN A, C, D & F)	<i>UPON SUBMISSION OF FORM AS-2 – AT LEAST 30 DAYS PRIOR TO THE OPENING DAY and WITH WRITTEN APPROVAL</i> <u>CAN</u> BE DISPLAYED OFF-SITE BY LICENSED MANUFACTURERS & DEALERS but <u>CANNOT</u> BE SOLD OFF-SITE OR AT SHOWS
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Section 4.02 (d) Texas Motor Vehicle Commission Code

Except as provided in this subsection, **no licensee** may participate in a new motor vehicle show or exhibition unless the Board has first had written notice at least 30 days prior to the opening day of the show or exhibition and its written approval has been granted. A licensee may not sell or offer for sale a new motor vehicle at a show or exhibition; however, dealership personnel may be present to aid in the showing or exhibiting of new motor vehicles...

C. TOWABLE RECREATIONAL VEHICLES (non-motorized recreational vehicles)	<i>UPON SUBMISSION OF FORM AS-2 – AT LEAST 30 DAYS PRIOR TO THE OPENING DAY and WITH WRITTEN APPROVAL</i> <u>CAN</u> BE DISPLAYED and <u>CAN</u> BE SOLD OFF-SITE <u>ONLY</u> <u>BOAT SHOWS WITH MULTIPLE VENDORS</u>
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**MULTIPLE VENDORS = 3 LICENSED MOTOR HOME DEALERS
OR = 2 LICENSED TRAILER DEALERS (travel trailers and/or utility trailers)**

Section 503.003 Transportation Code - Display or Sale of Nonmotorized Vehicle or Trailer

This chapter **does not prohibit** the display or sale of a **nonmotorized vehicle** or trailer at a **regularly scheduled vehicle or boat show with multiple vendors** in accordance with commission rules.

Section 4.02 (d) Texas Motor Vehicle Commission Code

This subsection does **not prohibit the sale of a towable recreational vehicle**, motor home, ambulance, or fire-fighting vehicle at a show or exhibition **if the show or exhibition** is approved by the Board and **if the sale does not** otherwise violate a provision of law.

Section 1.03(34) Texas Motor Vehicle Commission Code

“Towable recreational vehicle” means a nonmotorized vehicle originally designed and manufactured for the primary purpose of providing temporary human habitation in conjunction with recreational, camping, or seasonal use and.....

D. TRAILERS (SEMI-TRAILERS AND UTILITY TRAILERS (EXAMPLE: BOAT TRAILERS, STOCK TRAILERS OR CARGO TRAILERS)	<i>UPON SUBMISSION OF FORM AS-2 – AT LEAST 30 DAYS PRIOR TO THE OPENING DAY and WITH WRITTEN APPROVAL</i> <u>CAN</u> BE DISPLAYED and <u>CAN</u> BE SOLD OFF-SITE <u>ONLY AT</u> <u>APPROVED REGULARLY SCHEDULED VEHICLE OR BOAT</u> <u>SHOWS WITH MULTIPLE VENDORS</u>
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**MULTIPLE VENDORS = 3 LICENSED MOTOR HOME DEALERS
OR = 2 LICENSED TRAILER DEALERS (travel trailers and/or utility trailers)**

Section 503.003. Transportation Code - Display or Sale of Nonmotorized Vehicle or Trailer

This chapter **does not prohibit the display or sale** of a nonmotorized vehicle or **trailer** at a **regularly scheduled vehicle or boat show with multiple vendors** in accordance with commission rules.

Chapter 501.002 (22) Transportation Code

“Trailer” means a vehicle that: (A) is designed or used to carry a load wholly on the trailer’s own structure; and (B) is drawn or designed to be drawn by a motor vehicle.

**E. MANUFACTURERS AND
REPRESENTATIVES**

***UPON SUBMISSION OF FORM AS-2 – AT LEAST 30 DAYS
PRIOR TO THE OPENING DAY and WITH WRITTEN APPROVAL***

**CAN DISPLAY OFF-SITE
but CANNOT SELL OFF-SITE**

Section 5.04. Texas Motor Vehicle Commission Code

- (a) No person may engage in the business of buying, selling, or exchanging new motor vehicles unless that person: (1) holds a valid franchised dealer's license issued by the Commission for the make or makes of new motor vehicles being bought, sold, or exchanged; or (2) is acting as a bona fide employee of the licensee.
- (b) The "make" of a conversion is that of the chassis manufacturer and the "make" of a motor home is that of the motor home manufacturer.

**F. MOTOR HOMES
(motorized recreational vehicles)**

***UPON SUBMISSION OF FORM RV-2 – NO LESS THAN 30 DAYS
AND NO MORE THAN 90 DAYS PRIOR TO THE OPENING DAY
and WITH WRITTEN APPROVAL***

**CAN BE DISPLAYED OFF-SITE & CAN ONLY BE SOLD OFF-
SITE AT APPROVED SHOWS BY LICENSED DEALERS**

MULTIPLE VENDORS = 3 LICENSED MOTOR HOME DEALERS

Section 4.02(d) Texas Motor Vehicle Commission Code

(d) Except as provided in this subsection, no licensee may participate in a new motor vehicle show or exhibition unless the Board has first had written notice at least 30 days prior to the opening day of the show or exhibition and its written approval has been granted. A licensee may not sell or offer for sale a new motor vehicle at a show or exhibition; however, dealership personnel may be present to aid in the showing or exhibiting of new motor vehicles. This subsection does not prohibit the sale of a towable recreational vehicle, motor home, ambulance, or fire-fighting vehicle at a show or exhibition if the show or exhibition is approved by the Board and if the sale does not otherwise violate a provision of law. If the Board adopts a rule regulating off-site display or sale of towable recreational vehicles, the Board shall, as part of that rule, authorize the display and sale of towable recreational vehicles at a private event in a trade area that would not otherwise qualify for the private event under application of the general participation requirements for organized dealer shows and exhibitions.

Revised 7/19/99

Rule 103.13 – Motor Home Show Limitations and Restrictions

- (a) A dealer licensed by the division who is authorized to sell new motor homes may attend and sell at any motor home show that has been approved by the Motor Vehicle Division.
- (b) The scope of this rule is expressly limited to new motor home shows and exhibitions. It does not apply to other types of motor vehicle distribution activities, static displays or any other provision of the Texas Motor Vehicle Commission Code, other than Section 4.02(c)(2) and (3). Other motor vehicle shows, exhibitions, or static displays will be reviewed by division staff on a case by case basis.
- (c) **Approval must be sought** by the show coordinator/promotor no less than **30 days and no more than 90 days prior** to the proposed show date. All applications for motor home shows must be submitted on the forms and in the manner prescribed by the division, and must be accompanied by all other required attachments. If the coordinator/promoter is not a licensee or an association or organization of licensees, the application must be accompanied by a \$25,000 surety bond to assure compliance with the Motor Vehicle Commission code and rules, as well as other regulations pertaining to the sale of new motor vehicles.
- (d) There **must be at least three dealers participating** in the show, **representing at least 3 different line-makes** at the show, for the show to qualify for approval. Each participating new motor vehicle dealer must have a current, valid, Texas new motor vehicle dealer's license to sell the particular line of motor home to be shown.
- (e) The duration of any motor home **show shall not exceed six days**. If a show extends over a Saturday and a Sunday, sales will be suspended by all motor vehicle dealers on the same day to achieve uniform compliance with the Blue Law.
- (f) **No motor home show shall occur in a county within 90 days of a previous motor home show** within that county. Upon a showing of good cause, the division may authorize additional motor home shows in any county. Any motor home dealer may attend a motor home show so long as **no like line dealership is located within 70 miles of the show site**, unless a **written waiver is obtained from the like line dealer or dealers located within 70 miles of the show site**. Any like line dealer within 70 miles of the show site has a superior and exclusive right to represent that line at the proposed show. If there are **two or more like line dealers located within 70 miles of the show site, each has equal right to participate** in the proposed show.

BLUE LAW

All dealers participating in a show occurring on a consecutive Saturday and Sunday, must comply with the Texas Blue Law, (Texas Transportation Code §§ 728.001-728.004). **All** dealers of new motor vehicles participating in the show must suspend sales **on the same day**. On the designated non-selling day, signage must be posted throughout the event site, clearly stating that this is a non-selling day for new motor homes. Additionally, on the designated non-selling day, participating dealers of new motor homes:

- **May** allow consumers to walk through the motor homes,
- **May** disperse brochures on products, which are void of pricing information, with business cards stapled inside the brochure,
- **MAY NOT** make sales, offers for sale, or conduct activities which may be construed as sales activity, discuss pricing and financing options, as well as, make contracts, take buyer's orders, make agreements whether written or verbal, or hold a new motor home for a consumer, and
- **MAY NOT DISPLAY** any signage containing the Manufacturers' Suggested Retail Price. All new motor homes that have the Manufacturers Label/Manufacturers Suggested Retail Prices listed, must have such label covered on the designated non-selling day.

While the Blue Law also affects all dealers of other new motor vehicles, **Sales or Offers for Sale** of new passenger vehicles/automobiles, buses, motorcycles, motor scooters, trucks and all-terrain vehicles **may never take place at a show or exhibition**.

• COORDINATORS/PROMOTERS OF ANY EVENT •

- If you have three or more dealers participating in your event, you will need to fill out the applicable promoter form, ie. RV-1 for the motor home dealers and AS-1 for all other vehicles.
 - All participants must complete an application form in order to participate, i.e. RV-2 for the motor home dealers and AS-2 for all other vehicles. These forms should accompany the promoter form upon submittal to the Motor Vehicle Division in the time prescribed by law in order to receive approval.
 - All waivers granting participation by one dealer to another must accompany the dealer application.
 - Because you are asked to verify that all dealers participating are licensed for their products, you may wish to request a copy of their current license. *Please feel free to contact the Motor Vehicle Division for any questions or assistance you may require.*
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